

NONPRECEDENTIAL

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

THERESA FRORUP-ALIE,

 Plaintiff

 v.

 V.I. HOUSING FINANCE
 AUTHORITY (VIHA) and DWH
 BUSINESS SERVICES, INC. (DWH),

 Defendants

CIVIL NO. 2000-0086

ORDER

THIS MATTER is before the Court on Defendant VIHFA's Motion to Dismiss the Amended Complaint, docket item # 80. Defendant asks the Court to dismiss all Counts (I - VII) of Plaintiff's Amended Complaint for failing to state a cause of action and various other defects.

Upon consideration of the matter, the Court finds that Counts IV and V must be dismissed because Plaintiff failed to plead with the required particularity and that Count VII must be dismissed because punitive damages cannot be brought against an agency of the government of the Virgin Islands, but that Plaintiff has stated a cognizable cause of action with respect to all other counts of her Amended Complaint. Accordingly, it is hereby

ORDERED that Defendant VIHFA's Motion to Dismiss the Amended Complaint is **GRANTED in part, DENIED in part.**

ENTER:

Dated: October __, 2003

RAYMOND L. FINCH
CHIEF U.S. DISTRICT JUDGE

Attest:

Wilfredo F. Morales
Clerk of the Court

By: _____
Deputy Clerk

cc: Honorable Jeffrey L. Resnick, U.S. Magistrate Judge
Andrew L. Capdeville, Esq.
Natalie Nelson Tang How, Esq.